

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Southern District of New York

Case number (if known): _____ Chapter 15

☐ Check if this is an amended filing

Official Form 401

Chapter 15 Petition for Recognition of a Foreign Proceeding

12/15

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write debtor's name and case number (if known).

1. Debtor's name ACN 078 881 035 Pty Limited (in Liquidation)

2. Debtor's unique identifier

For non-individual debtors:

☐ Federal Employer Identification Number (EIN) ____ - ____ - ____

☒ Other ACN 078 881 035. Describe identifier AU corporation number.

For individual debtors:

☐ Social Security number: xxx - xx- ____ - ____

☐ Individual Taxpayer Identification number (ITIN): 9 xx - xx - ____ - ____

☐ Other _____. Describe identifier _____.

3. Name of foreign representative(s)

John Sheahan

4. Foreign proceeding in which appointment of the foreign representative(s) occurred

Ligon 158 Pty Limited (in liq) v Shield Holdings Australia Pty Ltd (in liq) NSD1023/2022 (Fed. Ct. of AU)

5. Nature of the foreign proceeding

Check one:

- ☒ Foreign main proceeding
☐ Foreign nonmain proceeding
☐ Foreign main proceeding, or in the alternative foreign nonmain proceeding

6. Evidence of the foreign proceeding

- ☒ A certified copy, translated into English, of the decision commencing the foreign proceeding and appointing the foreign representative is attached.
☐ A certificate, translated into English, from the foreign court, affirming the existence of the foreign proceeding and of the appointment of the foreign representative, is attached.
☐ Other evidence of the existence of the foreign proceeding and of the appointment of the foreign representative is described below, and relevant documentation, translated into English, is attached.

7. Is this the only foreign proceeding with respect to the debtor known to the foreign representative(s)?

- ☐ No. (Attach a statement identifying each country in which a foreign proceeding by, regarding, or against the debtor is pending.)
☒ Yes

Debtor ACN 078 881 035 Pty Limited (in Liquidation)
Name

Case number (if known) _____

8. Others entitled to notice

Attach a list containing the names and addresses of:

- (i) all persons or bodies authorized to administer foreign proceedings of the debtor,
- (ii) all parties to litigation pending in the United States in which the debtor is a party at the time of filing of this petition, and
- (iii) all entities against whom provisional relief is being sought under § 1519 of the Bankruptcy Code.

9. Addresses

Country where the debtor has the center of its main interests:

Australia

Debtor's registered office:

Unit 1, 63 New South Head Road

Number Street

P.O. Box

Vaucluse NSW 2030

City State/Province/Region ZIP/Postal Code

Australia

Country

Individual debtor's habitual residence:

Address of foreign representative(s):

Number Street

26 Flinders Street

Number Street

P.O. Box

P.O. Box

City State/Province/Region ZIP/Postal Code

Adelaide, South Australia 5000

City State/Province/Region ZIP/Postal Code

Country

Australia

Country

10. Debtor's website (URL)

11. Type of debtor

Check one:

☐ Non-individual (check one):

☒ Corporation. Attach a corporate ownership statement containing the information described in Fed. R. Bankr. P. 7007.1.

☐ Partnership

☐ Other. Specify: _____

☐ Individual

Debtor ACN 078 881 035 Pty Limited (in Liquidation)
Name

Case number (if known) _____

12. Why is venue proper in this district?

Check one:

- ☒ Debtor's principal place of business or principal assets in the United States are in this district.
☐ Debtor does not have a place of business or assets in the United States, but the following action or proceeding in a federal or state court is pending against the debtor in this district:

- ☐ If neither box is checked, venue is consistent with the interests of justice and the convenience of the parties, having regard to the relief sought by the foreign representative, because:

13. Signature of foreign representative(s)

I request relief in accordance with chapter 15 of title 11, United States Code.

I am the foreign representative of a debtor in a foreign proceeding, the debtor is eligible for the relief sought in this petition, and I am authorized to file this petition.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct,

X

Signature of foreign representative

John Sheahan

Printed name

Executed on

2/27/2025
MM / DD / YYYY

X

Signature of foreign representative

Printed name

Executed on

MM / DD / YYYY

14. Signature of attorney

X

Signature of Attorney for foreign representative

Date

2/28/2025
MM / DD / YYYY

Glen Kopp

Printed name

Mayer Brown LLP

Firm name

1221 Avenue of the Americas

Number Street

New York

City

NY

State

10020

ZIP Code

(212) 506-2500

Contact phone

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*Counsel for John Sheahan as Foreign Representative
Of ACN 078 881 035 Pty Limited (In Liquidation)*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

)	
In re:)	
)	
ACN 078 881 035 PTY LIMITED (In)	Case No. 25-_____ (PB)
Liquidation),)	
)	
Debtor in Foreign Proceeding.)	Chapter 15
)	

ATTACHMENTS TO PETITION

1. A copy of the order of the Federal Court of Australia dated January 9, 2025, appointing John Sheahan as special purpose liquidator of the Debtor (the “Foreign Representative”), is attached hereto as Exhibit A.

2. A copy of Justice Cheeseman of the Federal Court of Australia’s opinion dated January 9, 2025, appointing the Foreign Representative as special purpose liquidator of the Debtor, is attached hereto as Exhibit B.

3. A copy of the document filed with the Australian Securities and Investments Commission (“ASIC”) on January 9, 2025, confirming the appointment of the Foreign Representative is attached hereto as Exhibit C.

4. A copy of the order of the Federal Court of Australia dated April 5, 2024, commencing foreign proceeding and appointing Alan Walker as liquidator of the Debtor, is attached hereto as Exhibit D.

5. A copy of the Debtor’s Certificate of Registration filed with ASIC is attached hereto as Exhibit E.

6. A copy of the chapter 15 list pursuant to Bankruptcy Rule 1007(a)(4) is attached hereto as Exhibit F.

7. A copy of the Debtor’s Corporate Ownership Statement, pursuant to Federal Rules of Bankruptcy Procedure 1007(a)(4) and 7007.1, is attached hereto as Exhibit G.

8. A copy of the Debtor's Current & Historical Company Extract from ASIC's records is attached hereto as Exhibit H.

9. A copy of Official Form 202 is attached hereto as Exhibit I.